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Subject: Federal Highway Economic Stimulus Funding - Davis-Bacon Requirements

To: Iowa Metropolitan Planning Organizations
and Regional Planning Affiliations

Date: February 20, 2009

From: Stuart Anderson, Director
Planning, Programming and Modal Division
Iowa Department of Transportation

Subject: Federal Highway Economic Stimulus Funding - Davis-Bacon Requirements

Under normal federal-aid project development guidelines, Davis-Bacon pre-determined wage rate requirements do not apply to certain Transportation Enhancement and off-system bridge projects (those on rural minor collectors and local roads).

However, the American Recovery and Reinvestment Act (ARRA) requires the application of Davis-Bacon pre-determined wage rates to all projects in the Wage Rate Requirements section (section 1606 - see below). The applicability of Davis-Bacon to a project will not be dependent on the relationship or linkage of the project to a federal-aid route. Rather, the Davis-Bacon pre-determined minimum wage rate requirements apply to all workers on federal-aid projects funded

through the ARRA that are located both on or off a federal-aid route. This would include streets and highways classified as local roads or rural minor collectors.

Following is section 1606 of ARRA:

Notwithstanding any other provision of law and in a manner consistent with other provisions in this Act, all laborers and mechanics employed by contractors and subcontractors on projects funded directly by or assisted in whole or in part by and through the Federal Government pursuant to this Act shall be paid wages at rates not less than those prevailing on projects of a character similar in the locality as determined by the Secretary of Labor in accordance with subchapter IV of chapter 31 of title 40, United States Code. With respect to the labor standards specified in this section, the Secretary of Labor shall have the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (64 Stat. 1267; 5 U.S.C. App.) and section 3145 of title 40, United States Code.

We are highlighting this requirement since it may impact the project cost estimate you provided the Iowa DOT for a trail or off-system bridge project. If you revise the cost estimates of any project, please reflect that in your final highway stimulus project list you submit to us by the end of the day Monday, March 2nd. If you are revising the cost estimate of a project you have already turned in for letting, please contact your Iowa DOT Local Systems Engineer as soon as possible. Finally, if you need to adjust your trail funding request that you submitted to us for consideration of trail funding to be awarded at the statewide level from DOT highway stimulus funding, please contact Craig Markley (craig.markley@dot.iowa.gov, 515-239-1027) as soon as possible but no later than the end of the day on March 2nd.

In addition, due to the reporting requirements of the ARRA funding we require all highway stimulus projects to be let at the Iowa DOT.

If you have any questions regarding the Davis-Bacon provisions of ARRA please contact Craig Markley (craig.markley@dot.iowa.gov, 515-239-1027), Charlie Purcell (charlie.purcell@dot.iowa.gov, 515-239-1532) or your District Local Systems Engineer.

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